

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Roderick Craig

v.

Civil No. 14-cv-96-JL

United States of America

O R D E R

Petitioner Roderick Craig has filed a petition for writ of habeas corpus pursuant to [28 U.S.C. § 2241](#), alleging that he was improperly sentenced under the Armed Career Criminal Act of 1984, [18 U.S.C. § 924\(e\)](#) ("ACCA"). Craig argues that the Supreme Court's decision in [Chambers v. United States](#), [555 U.S. 122 \(2009\)](#), which postdated his sentencing, makes clear that his prior conviction for escape in the third degree, in violation of [Ala. Code § 13A-10-33](#), does not qualify as a "violent felony" for purposes of the ACCA. Having conducted a preliminary review of Craig's petition under [Rules 1\(b\)](#) and [4](#) of the Rules Governing Section 2254 Cases in the United States District Courts and [Local Rule 4.3\(d\)\(4\)](#), the court concludes that the petition states a facially valid claim to relief and may proceed. The clerk shall serve the petition on the respondent, who is directed to answer or otherwise plead within thirty (30) days of the date of this Order. The answer shall comply with the requirements of [Rule 5](#) of the Rules Governing Section 2254 Cases in the United States District Courts.

SO ORDERED.

A handwritten signature in black ink, reading "Joe Laplante", written over a horizontal line.

Joseph N. Laplante
United States District Judge

Dated: April 16, 2014

cc: Roderick Craig, pro se
Seth R. Aframe, Esq.